CHAPTER 451

APPROPRIATIONS

SENATE BILL 23-113

BY SENATOR(S) Zenzinger, Bridges, Kirkmeyer; also REPRESENTATIVE(S) Bird, Sirota, Bockenfeld, Armagost, Joseph, Lieder, Snyder, Weinberg, McCluskie.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Appropriation to the department of corrections for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 2 of chapter 507, (HB 22-1329), amend Part II and the affected totals, as Part II (1)(A) and the affected totals are amended by section 5 of chapter 170, (HB 22-1133), as follows:

Section 2. Appropriation.

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

	APPROPRIATION FROM								
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS			
\$	\$	\$	\$	\$	\$	\$			

PART II DEPARTMENT OF CORRECTIONS

(1) MANAGEMENT				
(A) Executive Director's Of	fice Subprogram			
Personal Services	4,442,530	4,198,725	243	3,805ª
		(33.3 FTE)	(4.0	FTE)
Restorative Justice				
Program with				
Victim-Offender				
Dialogues in				
Department Facilities	75,000	75,000		
		(1.2 FTE)		
Health, Life, and Dental	69,059,622	67,333,131	1,726,491 ^b	
	69,132,440	67,405,949		
Short-term Disability	598,827	583,856	14,971 ^b	
	599,134	584,163		
S.B. 04-257 Amortization				
Equalization Disbursement	19,113,349	18,635,515	477,834 ^b	

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			APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	
\$		\$	\$	\$	\$	\$		
	19,122,947		18,645,113					
S.B. 06-235								
Supplemental Amortization								
Equalization Disbursement	19,113,349		18,635,515		477,834 ^b			
	19,122,947		18,645,113					
Salary Survey	12,322,248		12,014,192		308,056 ^b			
PERA Direct Distribution	261,587				261,587 ^b			
Shift Differential	11,010,784		10,735,514		275,270 ^b			
Temporary Employees								
Related to								
Authorized Leave	2,025,459		2,025,459					
Workers' Compensation	6,956,967		6,799,044		157,923 ^b			
Operating Expenses	408,939		318,939			$5,000^{a}$	85,000(I) ^c	
	477,269		387,269					
Legal Services	$3,912,465^{d}$		3,823,652		88,813 ^b			
Payment to Risk								
Management and								
Property Funds	5,591,850		5,464,915		126,935 ^b			
Leased Space	6,228,521		6,069,503		159,018 ^b			
Capitol Complex								
Leased Space	57,186		40,851		16,335 ^b			

Annual Depreciation-Leas	e	
Equivalent Payments	659,571	659,571
Planning and		
Analysis Contracts	82,410	82,410
Payments to		
District Attorneys	681,102	681,102
Payments to Coroners	32,175	32,175
	162,633,941	
	162,794,592	

^a These amounts shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item appropriation in the Victims Assistance section of the Division of Criminal Justice. These amounts originate as cash funds from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

	=		
Personal Services	1,010,827	1,010,827	
		(12.7 FTE)	
Operating Expenses	183,443	153,976	29,467ª
	205,402	175,935	

^b Of these amounts, an estimated \$3,494,127 shall be from sales revenues earned by Correctional Industries and an estimated \$596,940 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding. This amount is included for informational purposes only.

^d Of this amount, \$3,891,719 shall be used to purchase legal services from the Department of Law and \$20,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

			APPROPRIATION FROM									
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATE FUNDS	D FEDERAL FUNDS						
\$	\$	\$	\$	\$	\$	\$						
1,194,270												
1,216,229												

^a This amount shall be from revenues earned from monitoring private Colorado prisons that house out-of-state offenders.

(2) Payments to House State Prisoners⁵ Payments to local jail at a rate of \$60.61 13,284,306 per inmate per day 13,284,306 Payments to in-state private prisons at a rate of \$63.32 per inmate per day⁶ 59,322,367 56,922,367 2,400,000a Inmate Education and Benefit Programs at In-state Private Prisons 541,566 541,566

(C) Inspector General Subprogram

73,148,239

Personal Services 4,846,045 4,739,812 106,233^a

^a This amount shall be from the State Criminal Alien Assistance Program Cash Fund created in Section 17-1-107.5 (1), C.R.S.

		(51.0 FTE)		
Operating Expenses	460,072	376,885	83,187ª	
	498,802	415,615		
Inspector General Grants	207,912			207,912(I)
Inspector General Start-up	118,152	118,152		
	5,632,181			
	5,670,911			

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

242,608,631 242,829,971

(2) INSTITUTIONS

(A) Utilities Subprogram

Personal Services	347,809	347,809	
		(2.6 FTE)	
Utilities	22,678,039	21,378,039	1,300,000 *
	25,335,784	23,887,662	1,448,122a
	23,025,848		
	25,683,593		

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services 23,263,880

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			APPROPRIATION FROM							
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND		GENERAL FUND EXEMPT		CASH FUNDS	REAI	PPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$		\$		\$	\$	
	(282.8 FTE)									
Operating Expenses	6,990,024									
	8,415,788									
Maintenance	2.100.662									
Pueblo Campus	2,198,662									
	32,452,566		32,452,566							
	33,878,330		33,878,330							
(C) Housing and Secur	rity Subprogram									
Personal Services	210,619,179		210,619,179							
	210,775,577		210,775,577							
			(2,988.3 FTE)							
			(2,992.5 FTE)							
Operating Expenses	1,979,880		1,979,880							
	2,073,596		2,073,596							
	212,599,059									
	212,849,173									
(D) Food Service Subp	rogram									
Personal Services	21,835,003		21,835,003							
	, ,		(318.8 FTE)							
			` /							

Operating Expenses	18,286,757	18,286,757	
	21,751,601	21,751,601	
Food Service			
Pueblo Campus	1,882,769	1,882,769	
_	2,156,475	2,156,475	
	42,004,529		
	45,743,079		
(E) Medical Services Subp	rogram ⁷		
Personal Services	45,146,900	44,867,480	$279,420^{a}$
		(409.2 FTE)	(3.0 FTE)
Operating Expenses	2,647,168	2,647,168	
	2,658,789	2,658,789	
Purchase of			
Pharmaceuticals	17,434,236	17,434,236	
	18,218,170	18,218,170	
Hepatitis C			
Treatment Costs	8,368,384	8,368,384	
External Medical Services	44,867,491	44,867,491	
	49,261,206	49,261,206	
Service Contracts	2,665,998	2,665,998	
Indirect Cost Assessment	1,456		1,456 ^a
•	121,131,633		
	126,320,903		

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

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					APPF	OPRIATION	FROM		
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	\$ GENERAL FUND EXEMPT	\$	CASH FUNDS	REA	APPROPRIATED FUNDS \$	FEDERAL FUNDS
(F) Laundry Subprogram	m								
Personal Services	2,845,369								
r cisonar services	(38.4 FTE)								
Operating Expenses	2,181,498								
operating Expenses	2,196,868								
	5,026,867		5,026,867						
	5,042,237		5,042,237						
(G) Superintendents Sub	oprogram								
Personal Services	12,662,751								
	(159.9 FTE)								
Operating Expenses	5,331,252								
1 6 1	5,779,028								
Dress Out	1,006,280								
Start-up costs	4,100								
•	5,531,937								
	19,004,383		19,004,383						
	24,979,996		24,979,996						

(H) Youthful Offender System Subprogram

Personal Services 12,272,532 (162.7 FTE)

Operating Expenses $\frac{607,455}{621,209}$ Contract Services 28,820

Maintenance

and Food Service 1,230,154

 14,138,961
 14,138,961

 14,152,715
 14,152,715

(I) Case Management Subprogram

Personal Services 18,422,079
18,473,379
(238.3 FTE)
(239.5 FTE)
Operating Expenses 180,736
181,457
Offender ID Program 354,108
18,956,923 18,956,923

19,008,944

(J) Mental Health Subprogram

Personal Services 12,649,942 12,649,942 (162.6 FTE)
Operating Expenses 329,266 329,266

19,008,944

		_			APPR	OPRIATION	FROM		
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT		CASH FUNDS		PROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$ \$		\$	\$		\$	\$	
Medical Contract Services	5,318,890 18,298,098		5,318,890						
(K) Inmate Pay									
Subprogram	2,320,893		2,320,893						
	2,345,335		2,345,335						
(L) Legal Access Subprog	ram								
Personal Services	1,552,485								
	(21.5 FTE)								
Operating Expenses	299,602								
Contract Services	70,905								
	1,922,992		1,922,992						
		510,882,752							
		530,225,395							
(3) SUPPORT SERVICES	8								
(A) Business Operations S									
Personal Services	6,929,591		6,433,021			49,109	1	447,461 ^b	

		(90.2 FTE)	(10.6 FTE)
Operating Expenses	234,201	234,201	
	240,544	240,544	
Business Operations Grants	2,500,000		2,500,000 (I)
Indirect Cost Assessment	6,865		6,865(I)
	9,670,657		
	9,677,000		

^a This amount shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S.

(B) Personnel Subprogram

Personal Services	2,006,791	2,006,791
		(24.7 FTE)
Operating Expenses	89,931	\$89,931
	2,096,722	

(C) Offender Services Subprogram

Personal Services	3,401,067	
	(44.1 FTE)	
Operating Expenses	62,044	
	3,463,111	3,463,111

(D) Communications Subprogram

Operating Expenses 1,638,297 1,638,297

^b Of this amount, \$377,176 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$70,285 shall be from statewide indirect cost recoveries.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$ \$	3
Dispatch Services	1,653,854 328,510 1,966,807 1,982,364		1,653,854 328,510				
(E) Transportation Subj	program						
Personal Services	2,568,604		2,568,604				
			(35.9 FTE)				
Operating Expenses	483,538		483,538				
	1,078,011		1,078,011				
Vehicle Lease Payments	3,621,238		3,085,295		535,943	1	
	6,673,380						
	7,267,853						

^a Of this amount, an estimated \$505,930 shall be from sales revenues earned by Correctional Industries and an estimated \$30,013 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

 Personal Services
 2,560,323

 (33.0 FTE)

 Operating Expenses
 287,221

2,847,544	2,847,544

(G) Information Systems Subprogram

-				
Operating Expenses	1,395,409	1,395,409		
	1,397,957	1,397,957		
Payments to OIT	26,381,074	26,275,550	105,524*	
	25,881,543	25,778,017	103,526 ^a	
CORE Operations	446,137	404,200	21,415 ^a	20,522 ^b
	28,222,620			
	27,725,637			

^a Of these amounts, an estimated \$102,059 \$100,061 shall be from Correctional Industries sales to non-state entities and an estimated \$24,880 shall be from sales revenues earned by the Canteen Operation.

(H) Facility Services Subprogram

Personal Services 1,079,494
(9.7 FTE)
Operating Expenses 83,096
95,594
1,162,590
1,162,590

1,175,088 1,175,088

56,103,431 56,235,319

^b This amount shall be from Correctional Industries sales to other state agencies.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FUNDS
	\$	\$	\$	\$	\$	\$	\$
(4) INMATE PROGRA (A) Labor Subprogram	MS						
Personal Services	5,679,597 (77.7 FTE)						
Operating Expenses	5,767,614		5,767,614				
(B) Education Subprogr	am						
Personal Services	14,731,148		14,731,148				
	14,742,837		14,742,837				
			(189.1 FTE)				
			(189.4 FTE)				
Operating Expenses	4,279,330		2,816,746		1,173,66	9° 288,915 ^b	
	4,286,525				1,180,86	54 ^a	
Contract Services	237,128		237,128				
Education Grants	80,060				10,00	00° 42,410 ^d	27,650(I)
	(2.0 FTE)						
	19,327,666						
	19,346,550						

(C) Recreation Subprogram

Personal Services	8,383,283	8,383,283	
		(119.5 FTE)	
Operating Expenses	77,552		77,552°
	8.460.835		

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	6,072,720	6,072,720	
		(87.4 FTE)	
Operating Expenses	117,884	117,884	
Contract Services	2,244,904	2,244,904	
Treatment Grants	126,682		126,682ª
	8,562,190		

^a This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

^a Of this amount, an estimated \$643,311 \$650,506 shall be from sales revenues earned by the Canteen Operation and an estimated \$530,358 shall be from sales revenues earned by vocational programs.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d This amount shall be from the Colorado Department of Education from special education funds.

				APPROPRIATION FROM			
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	
(E) Sex Offender Treat	ment Subprogram						
Personal Services	3,411,752		3,380,518		31,234 ^a		
			(55.8 FTE)		(1.0 FTE)		
Operating Expenses	92,276		91,776		500 ^a		
Polygraph Testing	242,500		242,500				
Sex Offender Treatment							
Grants	65,597						65,597(I)
	3,812,125						

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

(F) Volunteers Subprogram

Personal Services 484,862 (8.0 FTE)
Operating Expenses 17,912
502,774 502,774

> 46,433,204 46,452,088

(5) COMMUNITY SERVICES

(A) Parole Subprogram

()		
Personal Services	22,038,253	22,038,253
		(326.2 FTE)
Operating Expenses	2,875,425	2,875,425
	3,312,594	3,312,594
Parolee Supervision and		
Support Services	8,482,069	4,614,477
Wrap-Around Services		
Program	1,735,074	1,735,074
Insurance Payments	389,196	389,196
Grants to		
Community-based		
Organizations for		
Parolee Support	6,831,082	6,831,082
Appropriation to		
Community-based		
Reentry Services		
Cash Fund	1,481,662	1,481,662
Community-based		
Organizations		
Housing Support	500,000	500,000
Parolee Housing Support	500,000	500,000
	44,832,761	
	45,269,930	

^a This amount shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$ \$	
(B) Community Supervis	ion Subprogram						
(1) Community Supervision							
Personal Services	4,530,605		4,530,605				
			(48.0 FTE)				
Operating Expenses	505,042		505,042				
	643,124		643,124				
Psychotropic Medication	31,400		31,400				
Community Supervision							
Support Services	2,278,786		2,240,381			38,405 ^a	
	7,345,833						
	7,483,915						

^a This amount shall be transferred from the Department of Public Safety, Division of Criminal Justice, Offender Treatment and Services. These amounts originate as federal funds.

(2) Youthful Offender System Aftercare

Personal Services 586,874

(8.0 FTE)

Operating Expenses 141,067

Contract Services	854,353		
	1,582,294	1,582,2	294
(C) Community Re-entry Su	ıbprogram		
Personal Services	2,735,867	2,735,8	867
		(42.6 F)	TE)
Operating Expenses	146,702	146,7	702
Offender Emergency			
Assistance	96,768	96,7	768
Contract Services	190,000	190,0	000
Offender Re-employment			
Center	100,000	100,0	000
Community Reintegration			
Grants	39,098		
Transitional Work Program	1,575,000	1,575,0	
_		(1.0 F)	TE)
	4,883,435		
		50 (44 222	
		58,644,323	
		59,219,574	
(6) PAROLE BOARD			
Personal Services	1,828,384		
1 01001111 001 11000	(20.5 FTE)		
	(20.2111)		

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			APPROPRIATION FROM							
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	\$	GENERAL FUND EXEMPT	\$	CASH FUNDS	REA	APPROPRIATED FUNDS	FEDERAL FUNDS
Operating Expenses	107,890									
Contract Services	242,437									
Administrative	212,137									
and IT Support	182,490									
	(2.0 FTE)									
		2,361,20	2,361,201							
(7) CORRECTIONAL II										
Personal Services	12,112,496						4,286,641 ^a		7,825,855 ^b	
							(52.1 FTE)		(102.9 FTE)	
Operating Expenses	6,916,298		1,069,500				1,546,956ª		4,299,842 ^b	
Raw Materials	30,547,207						6,055,860 ^a		24,491,347 ^b	
Inmate Pay	2,750,000						1,114,590 ^a		1,635,410 ^b	
Capital Outlay	1,219,310						309,259a		910,051 ^b	
Indirect Cost Assessment	352,572						122,571ª		230,001 ^b	
		53,897,88	33							

^a Of these amounts, an estimated \$13,285,877 is from sales to non-state entities and an estimated \$150,000 is from rents and royalties earned on Penitentiary Trust land managed by the State Board of Land Commissioners pursuant to Section 36-1-116 (2), C.R.S.

(8) CANTEEN OPERATION

Personal Services 2,475,283

(28.0 FTE)

Operating Expenses 18,930,041 Inmate Pay 73,626 Indirect Cost Assessment 86,851

21,565,801

21,565,801(I)^a

TOTALS PART II

(CORRECTIONS) \$\frac{\$992,497,226}{\$1,012,787,232}\$\$\frac{\$899,794,352}{\$919,931,039}\$\$\frac{\$45,297,454^*}{\$44,473,298}\$\$2,932,122^b

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- In addition to the transfer authority provided in section 24-75-108, C.R.S., the department of corrections is authorized to transfer up to 5.0 percent of the total appropriation for external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers.

^b Of these amounts, an estimated \$29,038,477 is from sales to other state agencies and an estimated \$10,354,029 is from the Department of Revenue for the purchase of license plates.

^a This amount shall be from sales revenues earned by the Canteen Operation and is continuously appropriated to the division pursuant to Section 17-24-126 (1), C.R.S.

^a Of this amount, \$21,565,801 \$21,572,996 contains an (I) notation.

^b This amount contains an (I) notation.

- Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$63.32 per inmate per day -- It is the General Assembly's intent that in-state private prisons use funds provided through this appropriation to provide levels of staffing and services similar to comparable state prisons to the extent possible.
- Department Of Corrections, Institutions, Medical Services Subprogram--In addition to the transfer authority provided in section 24-75-108, C.R.S., the department of corrections is authorized to transfer up to 5.0 percent of the total appropriation for purchase of pharmaceuticals, Hepatitis C treatment costs, and external medical services between those line items for the purposes of providing pharmaceuticals, Hepatitis C Treatments, and external medical services for inmates.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: February 28, 2023